

## **REMARKS**

### **I. Introduction**

By the present Amendment, claims 8 and 10 have been amended. Claims 2, 3, and 11 have been cancelled. Accordingly, claims 4, 8-10, and 12 remain pending in the application. Claim 8 is independent.

### **II. Office Action Summary**

In the Office Action of August 19, 2008, claim 8 was rejected under 35 USC §112, first paragraph, as failing to comply with the written description requirement. Claim 8 was also rejected under 35 USC §103(a) as being unpatentable over U.S. Patent Application No. 2001/0027450 to Shinoda et al. ("Shinoda") in view of U.S. Patent No. 6,487,479 issued to Nelson. Claims 2, 3, 10, and 11 were rejected under 35 USC §103(a) as being unpatentable over Shinoda in view of U.S. Patent No. 6,525,765 issued to Obradovich. Claim 4 was rejected under 35 USC §103(a) as being unpatentable over Shinoda in view of Obradovich, and further in view of U.S. Patent No. 6,512,856 issued to Davis. Claims 9 and 12 were rejected under 35 USC §103(a) as being unpatentable over Shinoda in view of U.S. Patent No. 5,388,129 issued to Hartley. The cancellation of claims 2, 3, and 11 has rendered some of these grounds of rejection moot. Regarding the remaining claims, these rejections are respectfully traversed.

### **III. Rejections under 35 USC §112**

Claim 8 was rejected under 35 USC §112, first paragraph, as failing to comply with the written description requirement. Regarding this rejection, the Office Action indicates that the claim contains subject matter which was not described in the Specification in such a way as to reasonably convey to one skilled in the relevant art

that the inventors had possession of the invention at the time the application was filed. The Examiner specifically alleges that the limitation of "an image falsification prevention treatment" is unclear because it was not described in the Specification in such a way as to reasonably convey how to make or use the invention. The Examiner next indicates that the application only mentions one instance (paragraph [0093] where image falsification preventive processing is discussed.

Applicants are somewhat baffled by the Examiner's refusal to accept information that is plainly disclosed in the Specification. It appears as though the Examiner has not read the Specification in its entirety (in particular, the portions related to image falsification prevention) and/or failed to review the numerous passages cited in Applicants' previous response. See page 7, lines 2-7 of Applicants' Amendment filed May 8, 2008. The Examiner appears to have conveniently identified one paragraph within a series of paragraphs that describes "an image falsification prevention treatment." Without reading the preceding and subsequent paragraphs, the Examiner concludes that the one sentence cited in paragraph [0093] does not describe the claim in such a way as to reasonably convey to one skilled in the art that the inventors had possession of the invention at the time the application was filed. Applicants respectfully point out that one skilled in the art would have read the entire description of Figs. 11 and 12 and not simply one sentence in paragraph [0093].

The Examiner's attention is again directed to Figs. 11 and 12, and the corresponding text, which discusses the an image falsification prevention treatment. See paragraphs [0083] to [0097]. Furthermore, Applicants have amended independent claim 8 to specify that the image falsification prevention treatment includes embedding of an electronic watermark in the digital image. See paragraphs

[0084] to [0087]. In this regard, Applicants note that the Examiner indicates that one conventional technique is to apply a digital watermark to a visual image. See page 9, lines 3-5 of the Office Action. Thus, it appears clear that Examiner understands such a step to relate to image falsification prevention. Favorable reconsideration and withdrawal of this rejection is therefore respectfully requested.

Applicants therefore respectfully submit that, as amended, independent claim 8 fully complies with the written description requirement. Withdrawal of this rejection is therefore respectfully requested.

#### **IV. Rejections under 35 USC §103**

Claim 8 was rejected under 35 USC §103(a) as being unpatentable over Shinoda in view of Nelson. Regarding this rejection, the Office Action indicates that Shinoda discloses a method for transmitting image information that includes a steps of imaging an object by using a digital camera means, subjecting the acquired digital image to an image falsification prevention treatment, transmitting a digital image that has been subjected to the image falsification prevention treatment via communication means, receiving the digital image that has been subjected to the image falsification prevention treatment, checking the received falsification treatment digital image in order to detect a presence of falsification, storing the received and falsification checked digital image in a memory, and outputting detected defects to a display device. The Office Action admits that Shinoda does not expressly disclose the step of displaying an enlarged portion of the digital image beside the digital image on the same display screen when the enlarged portion is designated on the display screen. However, the Office Action alleges that this limitation is non-functional language and therefore given no patentable weight.

Regarding claims 2 and 3, the Office Action admits that Shinoda fails to expressly disclose the embedded electronic watermark including at least one of information relating to the place and time at which the object was imaged comprises longitude and latitude information received from a GPS, and standard time information. The Office Action further admits that Shinoda fails to disclose the information relating to the place where the object was imaged composes one or more types of information selected from air temperature, humidity, illumination, intensity of ultraviolet radiation, altitude, air pressure, wind velocity, degree of cleanliness, and sound. Obradovich is relied upon for disclosing a digital camera and image formed by the digital camera being stored in memory contained within the PCD device, along with a GPS stamp that is placed within the picture image. The Office Action further alleges that Obradovich discloses the GPS stamp being placed into the image by overriding areas of memory with the GPS provided data, and that the GPS stamp provides latitude and longitude information.

By the present Amendment, Applicants have amended independent claim 8 to incorporate the subject matter previously recited in claims 2 and 3. As amended, independent claim 8 now defines a method for transmitting image information that comprises the steps of:

imaging an object by using a digital camera means so that a digital image of said object is acquired;

subjecting said acquired digital image to an image falsification prevention treatment, said image falsification prevention treatment comprising a step of embedding an electronic watermark in said digital image;

said embedded electronic watermark including longitude and latitude information received from a GPS, standard time information, air temperature, humidity, illumination, intensity of ultraviolet radiation, altitude, air pressure, wind velocity, degree of cleanliness, and sound;

transmitting a digital image which has been subjected to said image falsification prevention treatment and information corresponding to digital image acquisition conditions of said acquired digital image via communications means;

receiving the digital image which has been subjected to said image falsification prevention treatment and information corresponding to said digital image acquisition condition of said digital image;

checking the received digital image to detect a presence of falsification;

storing said received and falsification checked digital image in a memory; and

outputting the received and falsification checked digital image and information of the digital image acquisition condition to a display screen,

wherein the step of outputting further includes a step of displaying an enlarged portion of the digital image beside the digital image on the same display screen when said enlarged portion is designated on said display screen.

The method of independent claim 8 includes imaging an object by using a digital camera means so that a digital image of the object is acquired. The digital image is subjected to an image falsification image falsification prevention treatment that includes a step of embedding an electronic watermark in the digital image. Furthermore, the embedded watermark includes longitude and latitude information received from a GPS, standard time information, air temperature, humidity, illumination, intensity of ultraviolet radiation, altitude, air pressure, wind velocity, degree of cleanliness, and sound. Next, the digital image is transmitted via a communication means together with information corresponding to a digital image acquisition condition of the acquired digital image. The digital image and the information corresponding to the digital acquisition conditions are received and checked in order to determine the presence of any falsification, and subsequently stored in memory after being checked for the presence of falsification. The image, as well as the information regarding the acquisition condition, are then output to a

display screen. Additionally, an enlarged portion of the digital image is displayed beside the original digital image on the same display screen when that portion is designated on the display screen.

The Office Action alleges that the combination of Shinoda and Obradovich discloses all the features of the claimed invention. Applicants' review of these references, however, suggests otherwise. As admitted in the Office Action, Shinoda fails to disclose various features of claims 2 and 3. Regarding Obradovich, however, the Office Action only indicates that GPS related information are disclosed. The Office Action never addresses certain features explicitly recited in claim 3 such as, for example, altitude, degree of cleanliness, and sound. Applicants' review of Obradovich has also failed to reveal any disclosure or suggestion for such features.

It is therefore respectfully submitted that independent claim 8 is allowable over the art of record.

Claims 4, 9, 10, and 12 depend from independent claim 8, and are therefore believed allowable for at least the reasons set forth above with respect to independent claim 8. In addition, these claims each introduce novel elements that independently render them patentable over the art of record.

## **V. Conclusion**


For the reasons stated above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a Notice of Allowance is believed in order, and courteously solicited.

If the Examiner believes that there are any matters which can be resolved by way of either a personal or telephone interview, the Examiner is invited to contact Applicants' undersigned attorney at the number indicated below.

**AUTHORIZATION**

Applicants request any shortage or excess in fees in connection with the filing of this paper, including extension of time fees, and for which no other form of payment is offered, be charged or credited to Deposit Account No. 01-2135 (Case: 501.43326X00).

Respectfully submitted,  
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